

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re:	:	Chapter 11
	:	
ROUGE STEEL INDUSTRIES, INC., et al.,	:	Case No. 03-13272
	:	
ROUGE STEEL COMPANY,	:	
	:	
Appellant (Plaintiff Below),	:	
	:	Civ. Act. No. 1:06-cv-250 (MPT)
v.	:	
	:	
OMNISOURCE CORPORATION – FORT	:	
WAYNE BROK,	:	
	:	
Appellee (Defendant Below).	:	

STIPULATION GOVERNING DEADLINES FOR FILING BRIEFS

Rouge Steel Company (“Appellant”), Appellant and Plaintiff-Below in the above-captioned appeal (the “Appeal”), together with Omnisource Corporation – Fort Wayne Brok (“Appellee”), Appellee and Defendant-Below in the Appeal, hereby stipulate as follows respecting the deadlines for Appellant and Appellee to submit their respective briefs in the Appeal:

WHEREAS, on August 4, 2005, Appellant filed a Complaint To Avoid Certain Preferential Transfers, To Recover Property And For Related Relief (the “Complaint”), in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”), thereby initiating an adversary proceeding captioned Rouge Steel Company v. Omnisource Corporation – Fort Wayne Brok (In re Rouge Steel Company) (Adv. Proc. No. 05-52242) (the “Adversary Proceeding”);

WHEREAS, on September 6, 2005, Appellee filed the Answer And Affirmative Defenses To Plaintiff's Complaint To Avoid Certain Preferential Transfers, To Recover Property And For Related Relief (the "Answer");

WHEREAS, on November 4, 2005, Appellant filed a Motion For Leave To File Amended Complaint (the "Motion For Leave");

WHEREAS, on November 14, 2005, Appellee filed a Response to Appellant's Motion For Leave (the "Response");

WHEREAS, on November 30, 2005, Appellant filed a Reply to Appellee's Response;

WHEREAS, on January 19, 2006, the Bankruptcy Court entered the Memorandum And Order Denying the Motion For Leave (the "Order"), pursuant to which the Bankruptcy Court denied Appellant's request for leave to amend its Complaint;

WHEREAS, on January 27, 2006, Appellant filed a Motion for Leave to File Appeal Under 28 U.S.C. § 158(a) (the "Motion to Appeal"), and a Notice of Appeal;

WHEREAS, on April 17, 2006, the United States District Court for the District of Delaware (the "District Court"), entered the Order Granting Appellant's Motion to Appeal, and this Appeal was docketed the following day;

WHEREAS, on December 20, 2006, Ian Connor Bifferato (the "Mediator") filed the Notice Of Completion Of Mediation (the "Mediation"), certifying that Appellant and Appellee had attempted to resolve the Appeal through Mediation, but such attempts had been unsuccessful; and

WHEREAS, on January 3, 2007, the District Court entered the Order Setting Deadlines, pursuant to which the District Court directed Appellant and Appellee to submit a stipulated briefing schedule no later than January 16, 2007.

NOW, THEREFORE, in consideration of the foregoing, Appellant and Appellee hereby stipulate as follows regarding the deadlines to govern the submission of Memoranda of Law in this Appeal (the "Stipulated Schedule"):

1. Appellant shall file and serve its Opening Brief within thirty (30) days of the date the District Court enters an Order approving this Stipulated Schedule on the docket in this Appeal (the "Opening Brief Deadline").

2. Appellee shall file and serve its Answering Brief within thirty (30) days of the later of the Opening Brief Deadline and the date Appellant files its Opening Brief (the "Answering Brief Deadline").

3. Appellant shall file and serve its Reply Brief within thirty (30) days of the later of the Answering Brief Deadline and the date Appellee files its Answering Brief.

4. This Stipulated Schedule, and any Order approving the same, shall be without prejudice to Appellant's and/or Appellee's rights to request an extension of any of the deadlines set forth herein, either individually or jointly.



LANDIS RATH & COBB LLP

Daniel B. Rath (No. 3022)
Rebecca L. Butcher (No. 3816)
919 Market Street, Suite 600
Wilmington, DE 19801
(302) 467-4400



PEPPER HAMILTON LLP

David M. Fournier (No. 2812)
James C. Carignan (No. 4230)
Hercules Plaza, Suite 5100
1313 N. Market Street
P.O. Box 1709
Wilmington, DE 19899-1709
(302) 777-6500

and

BARRETT & MCNAGNY LLP

Anne E. Simerman, #18885-10
Thomas P. Yoder, #1429-02
215 E. Berry Street
Fort Wayne, IN 46802
(260) 423-9551

Counsel for Appellant Rouge Steel Company

*Counsel for Appellee Omnisource Corporation
– Fort Wayne Brok*

SO ORDERED.

this ____ day of January, 2007

UNITED STATES MAGISTRATE JUDGE MARY PAT THYNGE

CERTIFICATE OF SERVICE

I, James C. Carignan, hereby certify that on January 16, 2007, I caused to be served the Stipulation Governing Deadlines For Filing Briefs, to be served upon the following entities via regular, first-class mail.

Daniel B. Rath, Esq.
Rebecca L. Butcher, Esq.
Landis Rath & Cobb LLP
919 Market Street, Suite 600
Wilmington, DE 19801

Dated: January 16, 2007
Wilmington, DE

A handwritten signature in black ink, appearing to read 'J. Carignan', written over a horizontal line.

James C. Carignan (No. 4230)